

U.S. Department of Labor

Office of the Assistant Secretary for  
Veterans' Employment and Training  
Washington, D.C. 20210



October 4, 2000

DIRECTOR'S MEMORANDUM NO. 01-01  
43-00

MEMORANDUM FOR: REGIONAL ADMINISTRATORS AND DIRECTORS FOR  
VETERANS' EMPLOYMENT AND TRAINING

FROM:

*Stanley A. Seidel*  
STANLEY A. SEIDEL  
Director, Operations and Programs

SUBJECT:

USERRA Operations Manual Revision: Closed Case Review  
Responsibility, Case Referrals, Referral Report, and Reassignment of  
Case Ownership to the Regional Office

**I. Purpose:** To revise the USERRA Operations Manual with instructions for Closed Case Review Responsibility, Case Referrals, Referral Report, and Reassignment of Case Ownership to the Regional Office.

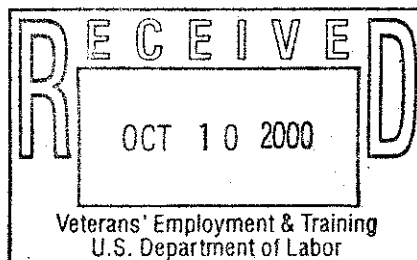
**II. Background:** Quality assurance of USERRA cases and referred cases in particular requires management review. To implement quality reviews the case files must be made available to those responsible for conducting the reviews. To initiate action on referred cases it is necessary to have case ownership. These additional guidelines are being provided to ensure proper administration and control of USERRA cases.

**III. Action:** This DM should be filed at the front of the USERRA Operations Manual. Staff may make the below changes by pen and ink at the sections indicated. The Operations Manual is amended as follows:

**Closed Case Review Responsibility** [This follows .10 "Maintenance of Closed Case Files," page IX-3.]

1. No less than 25% of closed cases will be reviewed by the RO. The review will be performed using the Quality Assurance Review guidelines and timeliness standards in chapter 13 of the USERRA Operations Manual.

cc: *Law, Bo, Lynn*  
*See, Bill, Hank, Bo*



2. Case files and the case file reviews may be archived where space is available at the RAVET's discretion. A copy of case file reviews will be maintained at the RO with a reference to archived file location.
3. The procedure for retention and disposal of USERRA case files is the following: cutoff and removal from active file in fiscal year when litigation is completed; transfer to Federal Records Center three (3) years after cutoff; destroy when case files are ten (10) years old.

**USERRA Case Referrals** [This replaces .1 "Purpose" of Chapter 8, "Litigation Referrals," page VIII-1.]

This chapter describes how to prepare, develop and transmit all USERRA referrals and how they are reviewed and processed by the VETS Regional Office (RO) for submission through the Solicitor of Labor (SOL) to the U.S. Attorney General (AG) or the Office of Special Counsel (OSC). There are two 30 day time frames which the Regional Administrator (RAVET) must ensure are met. The first relates to the VETS investigator who must, within 30 calendar days after receipt of the request for referral, prepare the case for referral and transmit it to the RO. The second relates to the responsibility of the RO to submit referrals to the SOL within 30 calendar days after receipt of the memorandum of referral from the VETS investigator.

**USERRA Referral Report** [This replaces .17 "Regional Office Liaison Responsibility," page VIII-10.]

On a quarterly basis, each Region, with the assistance of the USERRA Regional Lead Center (URLC), will prepare a "Referral Report" for the VETS Operations and Programs Activities Report (VOPAR).

1. The URLC will assist ROs by providing them a monthly report of referrals for cases being processed for submission to SOL. If an RO has no cases being processed, the URLC will provide a "negative" report to the RO. The "Referral Report" will be based on an Export Case Log of referred cases recorded in the USERRA Information Management System (UIMS). The report will provide in table form the case number and primary investigator for each case and provide a space for remarks by Regional staff to briefly describe the "Case Preparation Status" and "Expected Date of Referral to the SOL."
2. Upon receipt of the "Referral Report" from the URLC, the RO will complete the "Case Preparation Status" and "Expected Date of Referral to the SOL." The RO will provide the completed "Referral Report" to the URLC within 10 days of receipt.

3. The URLC will summarize the data and provide the "Referral Report" to the Chief of Compliance for inclusion in the VOPAR.

**Reassignment of Case Ownership to the Regional Office** [This is an addition to .12, (1), page VIII-8.]

When the MOR has been completed, it is transferred to the RO, along with the case file, for appropriate action. A designated RO reviewer will take ownership of referred cases when they arrive at the RO. The reviewer can be an investigator located outside of the RO, at the discretion of the RAVET. In such instances, referred cases can be sent to that investigator's office. Such an "out stationed" reviewer should be formally designated in the UIMS as an RO level investigator. This may be done by contacting the URLC to arrange this UIMS designation. The designated reviewer will utilize the UIMS functionality of "Reassign a Case Within the Office" and reassign each referred case to him/herself.

**IV. Effective Date:** Immediately

**V. Inquiries:** Direct questions on this Memorandum to Bo Wroble (404) 562-2368.

Attachment - Referral Report (blank)

Expiration Date: September 30, 2001

Referral Report
Cases "Awaiting Action" at the State or Regional Office

Cases "Awaiting Action" at the State or Regional Office

[illegible]

Report Instructions - see comment (place mouse pointer in this cell.)

Received 10 July 2003; accepted 10 September 2003

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